

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

NICOLE RULLI, individually and on behalf of her)
minor son, A.F.; CHARLES BRYANT JR.; SIMON)
PHILLIPS; DONOVAN HAYDEN; JENNIFER)
“JAY” YODER; DONOVAN HAYDEN; and)
CHRISTOPHER WILSON JURING, individually)
and on behalf of all persons similarly situated,)

Plaintiffs,

v.

CITY OF PITTSBURGH; WENDELL HISSRICH,)
individually and in his official capacity as Director)
of Public Safety for the City of Pittsburgh; SCOTT)
SCHUBERT, individually and in his official)
capacity as Chief of the Pittsburgh Bureau of Police;)
STEPHEN VINANSKY, Commander of Zone 5 of)
the Pittsburgh Bureau of Police, in his individual)
capacity, JASON LANDO, Commander of Narcotics)
and Vice for the Pittsburgh Bureau of Police, in his)
individual capacity, STEVEN MESCAN, Master)
Police Officer, in his individual capacity;)
CLARENCE TRAPP, Incident Commander, in his)
individual capacity; PHILIP MERCURIO,)
Lieutenant, in his individual capacity,)

Defendants.

CASE NO. 2:20-cv-00965

Magistrate Judge Lenihan

JURY TRIAL DEMANDED

**JOINT MOTION FOR ADOPTION OF CONSENT ORDER
REGARDING POST-MEDIATION POLICY REVIEW PROCESS**

The Parties, by undersigned counsel, move for adoption of the attached Consent Order regarding post-mediation process, and in support state as follows.

1. On March 31, 2022, the Parties attended a mediation before David B. White. While the Parties were unable to resolve the matter, they were able to agree to a policy review process that may, if successful, resolve Plaintiffs’ claims for injunctive relief.

2. The above-mentioned process will involve the retention of a third-party expert, and will require several meetings between multiple stakeholders, including representatives of Plaintiffs, the Mayor's office, the Pittsburgh Bureau of Police, and the Solicitor's office.

3. Following Plaintiffs' counsel's initial proposal of a policy review schedule on April 8, 2022, the Parties have recently reached agreement on such a proposed schedule, which is set forth in the attached proposed order.

4. The Parties request that this process run concurrently with the remainder of fact discovery, as well as during expert discovery, so as not to unduly delay this case.

WHEREFORE, the Parties respectfully request that this Court adopt the attached Proposed Order.

Respectfully submitted,

KRYSIA M. KUBIAK
City Solicitor

BY: s/ Michael E. Kennedy
Michael E. Kennedy (Pa. I.D. No. 52780)
Associate City Solicitor
michael.kennedy@pittsburghpa.gov

s/ Julie E. Koren
Julie E. Koren (Pa. I.D. No. 309642)
Assistant City Solicitor
julie.koren@pittsburghpa.gov

s/Emily C. McNally
Emily C. McNally (Pa. I.D. No. 206591)
Assistant City Solicitor
emily.mcnnally@pittsburghpa.gov

City of Pittsburgh, Department of Law
414 Grant Street, Suite 313
Pittsburgh, PA 15219
(412) 255-2025

Counsel for City Defendants

ELZER LAW FIRM, LLC

/s/ Christine T. Elzer
Christine T. Elzer
Pa. ID No. 208157
100 First Avenue
Suite 1010
Pittsburgh, PA 15222
(412) 230-8436
(412) 206-0855 (fax)
celzer@elzerlaw.com

O'BRIEN, COLEMAN &
WRIGHT LLC

Margaret S. Coleman
Pa. ID No. 200975
msc@obrienlawpgh.com
116 Blvd. of the Allies
Pittsburgh, PA 15222
(412) 232-4400

ABOLITIONIST LAW
CENTER

Quinn Cozzens
Staff Attorney
Pa I.D. No. 323353
(717) 419-6583

qcozzens@alcenter.org

Attorneys for Plaintiffs